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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,084	04/02/2001	Ian Catley	112740-187	1678

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EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,084

Applicant(s)

CATLEY ET AL.

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on December 22, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on December 22, 2003 has been entered. Claims 1 have been amended. Claims 3 have been cancelled. No claims have been added. Claims 1-2 and 4-6 are still pending in this application, with claim 1 being independent.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (US 4, 436, 962) in view of Brown et al. (US 5,309,028), and in further

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view of Herrick et al. (US 5,521,970). Davis et al. discloses a call coverage method for use by a switching system or a call forwarding method comprising a plurality of first and secondary subscriber terminals, wherein a call made to the first subscriber terminal (element 901) is redirected and signaled to a secondary subscriber terminal (element 902) for call answering, a call acceptance group to which are assigned both a single first subscriber terminal (element 901) and at least one secondary subscriber line (elements 902, 903 and 104) provided for call transfer originating from the first subscriber terminal, and a call made to the first subscriber terminal can be either forward and/or signaled to a secondary subscriber terminal within the call acceptance group (See Background of the invention, Column 1, lines 53-58; Claim 1, Claim 5, and Figure 9). Davis et al. also discloses that a call made to the first subscriber terminal is diverted to a second subscriber terminal on which corresponding user information was entered (See Claim 15).

Therefore, Davis et al. lacks the method by which the incoming call for the first subscriber terminal is switched to a second subscriber line for call answering and is signaled on at least one of the first subscriber line and at least one further second subscriber line.

Davis et al. also lacks the step of configuring the call acceptance group such that said first subscriber terminal and said at least one secondary subscriber terminal belong to separate communications systems.

Brown et al. teaches that "A principal can have all of his calls covered by his personal secretary [...] backup secretaries would only answer after sufficient time that

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the personal secretary is unlikely to answer. The calls are offered to both the covered and covering terminal at the same time.” (See Background of the invention, Column 2, lines 33-39). Brown et al. further teaches that “Three principals [Bob, Steve and Dick] each have a personal secretary. Each secretary Ann, Bev, and Joy has three monitor feature buttons and three monitor lamps to indicate the collective status of the call appearances on [each executive] terminal.” (See Detailed description, Column 5, lines 25-35 and Figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify Davis’ call forwarding method by adding the method by which the incoming call for the first subscriber line (Fig 1, element 500) is switched to a second subscriber line (Fig 1, element 200) for call answering and is signaled on at least one of the first subscriber line and at least one further second subscriber line (Fig 1, elements 300 and 400), as per the teachings of Brown et al., so that the secretaries on secondary subscriber lines will be able to monitor and answer calls for more than one executive first subscriber lines on different call acceptance groups.

Further, Herrick et al. teaches “Specifically according to the invention, in response to invocation of call coverage for a call that is connected to a first switch, the first switch connects the call to a second switch that serves a call-covering endpoint of the call, and also the first switch signals the second switch that the call is a coverage call. In response to receiving the signaling, the second switch determines the availability of the call-covering endpoint to receive the call. If the call-covering endpoint is available, the second switch alerts (e.g., rings) the call-covering endpoint of the call,

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and also signals the first switch that the call-covering endpoint is available.

Advantageously, since there is substantially no delay between determining the available status of the endpoint and the undertaking (including alerting) to connect the call to the endpoint, there is no danger of the available status becoming obsolete before the connecting can be undertaken. If the call-covering endpoint is not available, the second switch signals the first switch to that effect. In response to receiving the signaling that the call-covering endpoint is not available, the first switch disconnects the call from the second switch. Advantageously, in this latter case, the call is again merely connected to the first switch as it was prior to commencement of the coverage efforts, the first switch has not lost control of the call to the second switch, and hence the first switch can continue to attempt to cover the call as dictated by the coverage path of the endpoint that was the original destination of the call. The total net effect of the invention is that call coverage works--from a user viewpoint--identically across a network of switches as it does on a single switch." (See Summary of the Invention, Col. 2, lines 11-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method by configuring the call acceptance group such that first said first subscriber terminal (See Fig 1, element 11) and said at least second subscriber terminal (See Fig. 1, element 22) belong to separate communications systems (See Fig. 1, *PBX 10* and *PBX 20*), as taught by Herrick et al.; thus providing a method for call forwarding in which --from a user viewpoint- the call

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coverage across a network of switches behaves identically, as it does on a single switch.

Response to Arguments

3. Applicant's arguments filed December 22, 2003 have been fully considered but they are not persuasive. Applicant's arguments is that neither Davis et al. nor Brown et al. teach or suggest the feature of having the call acceptance group to be configured to work across distinct or separate communications systems. The Examiner points out that Herrick et al. does teach a method of call forwarding calls across different switches (in this case, PBXs), thus making obvious that it is possible to further modify the combination presented by Davis et al. in view of Brown et al so that the call acceptance group can forward the phone calls directed to a first terminal on a first switch to a second terminal on a second separate switch.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marie C. Ubiles
February 13, 2004



AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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